

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

3   ALEXANDER B. BAYOT,

Case No.: 2:18-cv-01420-JAD-BNW

4           Plaintiff

5   v.

**Order Extending Stay**

6   NV BOARD OF PRISON  
7   COMMISSIONERS, et al.,

8           Defendants

9           On December 4, 2019, the Court issued a screening order in this case.<sup>1</sup> The screening  
10 order stayed the case for 90 days to allow for Alexander Bayot and the Office of the Attorney  
11 General to conduct settlement discussions. But the order inadvertently omitted language  
12 directing the Clerk of the Court to electronically serve the Office of the Attorney General. As a  
13 result, it appears that the Attorney General's Office did not receive service of the Court's  
14 screening order or Plaintiff's complaint.

15           IT IS THEREFORE ORDERED that the Clerk of the Court is directed **FILE** the  
16 complaint (ECF No. 1-1).

17           IT IS FURTHER ORDERED that the **stay in this case will remain in place until April**  
18 **13, 2020**, to allow the plaintiff and the defendants an opportunity to settle their dispute before an  
19 answer is filed, or the discovery process begins. The Office of the Attorney General must file  
20 the report form attached to this order regarding the results of the 90-day stay by April 13, 2020,  
21 even if a stipulation for dismissal is entered before the end of the stay.

22  
23  

---

<sup>1</sup> ECF No. 7.

1 IT IS FURTHER ORDERED that the Clerk of the Court is directed to electronically  
2 **SERVE** a copy of this order, a copy of the Court's screening order (ECF No. 7), and a copy of  
3 Plaintiff's complaint (ECF No. 1-1) on the Office of the Attorney General of the State of  
4 Nevada, by adding the Attorney General of the State of Nevada to the docket sheet. This does  
5 not indicate acceptance of service.

6 IT IS FURTHER ORDERED that **the Attorney General's Office must advise the**  
7 **Court within 21 days of this order whether it will enter a limited notice of appearance on**  
8 **behalf of defendants** for the purpose of settlement. The filing of the limited notice of  
9 appearance will not constitute waiver of any defense or objection.

10 Dated: January 13, 2020

11   
12 U.S. District Judge Jennifer A. Dorsey  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3  
4 ALEXANDER B. BAYOT,

5 Plaintiff

6 v.

7 NV BOARD OF PRISON  
8 COMMISSIONERS, et al.,

9 Defendants

Case No.: 2:18-cv-01420-JAD-BNW

**Attorney General's Report of  
Results of 90-Day Stay**

10  
11 **NOTE: This form must be filed only by the Office of the Attorney General.  
The inmate plaintiff MUST NOT file this form.**

12 On January 13, 2020, the Court ordered the Office of the Attorney General of the State of  
13 Nevada to file its 90-day report by April 13, 2020. By filing this form, the Office of the Attorney  
14 General hereby complies with that order.

15 **REPORT FORM**

16 [Identify which of the following two situations (identified in bold type) describes the case, and  
17 follow the instructions corresponding to the proper statement.]

18 **Situation One: Mediated Case: The case was assigned to mediation by a court-appointed**  
19 **mediator during the 90-day stay.** [If this statement is accurate, check **ONE** of the six  
statements below and fill in any additional information as required, then proceed to the signature  
block.]

20 ☐ A mediation session with a court-appointed mediator was held on  
21 \_\_\_\_\_ [enter date], and as of this date, the parties have reached a  
22 settlement (even if paperwork to memorialize the settlement remains to be  
23 completed). (If this box is checked, the parties are on notice that they must  
SEPARATELY file either a contemporaneous stipulation of dismissal or a motion  
requesting that the Court continue the stay in the case until a specified date upon  
which they will file a stipulation of dismissal.)

24 ☐ A mediation session with a court-appointed mediator was held on  
25 \_\_\_\_\_ [enter date], and as of this date, the parties have not reached  
26 a settlement. The Office of the Attorney General therefore informs the Court of  
its intent to proceed with this action.

27 ☐ No mediation session with a court-appointed mediator was held during the 90-day  
28 stay, but the parties have nevertheless settled the case. (If this box is checked, the  
parties are on notice that they must SEPARATELY file a contemporaneous  
stipulation of dismissal or a motion requesting that the Court continue the stay in

1                    *this case until a specified date upon which they will file a stipulation of*  
2                    *dismissal.)*

3                    ☐ No mediation session with a court-appointed mediator was held during the 90-day  
4                    stay, but one is currently scheduled for \_\_\_\_\_ [enter date].

5                    ☐ No mediation session with a court-appointed mediator was held during the 90-day  
6                    stay, and as of this date, no date certain has been scheduled for such a session.

7                    ☐ None of the above five statements describes the status of this case.  
8                    Contemporaneously with the filing of this report, the Office of the Attorney  
9                    General of the State of Nevada is filing a separate document detailing the status of  
10                   this case.

11                   \* \* \* \* \*

12                   **Situation Two: Informal Settlement Discussions Case:** The case was NOT assigned to  
13                   mediation with a court-appointed mediator during the 90-day stay; rather, the parties were  
14                   encouraged to engage in informal settlement negotiations. [If this statement is accurate, check  
15                   **ONE** of the four statements below and fill in any additional information as required, then  
16                   proceed to the signature block.]

17                   ☐ The parties engaged in settlement discussions and as of this date, the parties have  
18                   reached a settlement (*even if the paperwork to memorialize the settlement remains*  
19                   *to be completed*). (*If this box is checked, the parties are on notice that they must*  
20                   *SEPARATELY file either a contemporaneous stipulation of dismissal or a motion*  
21                   *requesting that the Court continue the stay in this case until a specified date upon*  
22                   *which they will file a stipulation of dismissal.*)

23                   ☐ The parties engaged in settlement discussions and as of this date, the parties have  
24                   not reached a settlement. The Office of the Attorney General therefore informs  
25                   the Court of its intent to proceed with this action.

26                   ☐ The parties have not engaged in settlement discussions and as of this date, the  
27                   parties have not reached a settlement. The Office of the Attorney General  
28                   therefore informs the Court of its intent to proceed with this action.

29                   ☐ None of the above three statements fully describes the status of this case.  
30                   Contemporaneously with the filing of this report, the Office of the Attorney  
31                   General of the State of Nevada is filing a separate document detailing the status of  
32                   this case.

33                   Submitted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by:

34                   Signature: \_\_\_\_\_

35                   Name: \_\_\_\_\_

36                   Phone #: \_\_\_\_\_

37                   Email: \_\_\_\_\_